

<p>Attorney or Party Name, Address, Telephone &amp; FAX Nos., State Bar No. &amp; Email Address</p> <p>Robert P. Goe – State Bar No. 137019  Brandon J. Iskander – State Bar No. 300916  GOE FORSYTHE &amp; HODGES, LLP  17701 Cowan, Suite 210  Irvine, CA 92614  rgoe@goeforlaw.com  biskander@goeforlaw.com</p> <p>Telephone: (949) 798-2460  Facsimile: (949) 955-9437</p> <p><input checked="" type="checkbox"/> <i>Movant(s) appearing without an attorney</i>  <input type="checkbox"/> <i>Attorney for Movant(s)</i></p>	<p>FOR COURT USE ONLY</p>
<p><b>UNITED STATES BANKRUPTCY COURT</b>  <b>CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION</b></p>	
<p>In re:</p> <p>NORTHERN HOLDING, LLC,</p> <p style="text-align: right;">Debtor(s).</p>	<div style="border: 1px solid black; padding: 5px;"> <p>CASE NO.: 8:20-bk-13014-SC  CHAPTER: 7</p> </div> <div style="border: 1px solid black; padding: 10px; text-align: center;"> <p><b>DECLARATION THAT NO PARTY  REQUESTED A HEARING ON MOTION</b></p> <p><b>LBR 9013-1(o)(3)</b></p> </div> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>[No Hearing Required]</p> </div>

1. I am the ☐ Movant(s) or ☐ attorney for Movant(s) or ☒ employed by attorney for Movant(s).
2. On (*date*): 12/08/2022 Movant(s) filed a motion or application (Motion) entitled: Motion of Goe Forsythe & Hodges LLP for an Order Authorizing Withdrawal as Counsel for Leroy "Lee" Coddington; and Declaration of
3. A copy of the Motion and notice of motion is attached to this declaration.
4. On (*date*): 12/08/2022 Movant(s), served a copy of ☐ the notice of motion or ☒ the Motion and notice of motion on required parties using the method(s) identified on the Proof of Service of the notice of motion.
5. Pursuant to LBR 9013-1(o), the notice of motion provides that the deadline to file and serve a written response and request for a hearing is 14 days after the date of service of the notice of motion, plus 3 additional days if served by mail, or pursuant to F.R.Civ.P. 5(b)(2)(D) or (F).
6. More than 17 days have passed after Movant(s) served the notice of motion.
7. I checked the docket for this bankruptcy case and/or adversary proceeding, and no response and request for hearing was timely filed.
8. No response and request for hearing was timely served on Movant(s) via Notice of Electronic Filing, or at the street address, email address, or facsimile number specified in the notice of motion.

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

9. Based on the foregoing, and pursuant to LBR 9013-1(o), a hearing is not required.

Movant(s) requests that the court grant the motion and enter an order without a hearing.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Date: 01/04/2023

/s/ Arthur E. Johnston  
Signature

Arthur E. Johnston  
Printed name

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
17701 Cowan, Suite 210, Irvine, California 92614

A true and correct copy of the foregoing document entitled: **DECLARATION THAT NO PARTY REQUESTED A HEARING ON MOTION [LBR 9013-1(o)(3)]** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 01/04/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (date) \_\_\_\_\_, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) 01/04/2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

\* Honorable Scott C. Clarkson

Bin for Judge Scott C. Clarkson by 5th Floor Elevator, 411 W. Fourth Street, Santa Ana CA 92701

\* Leroy "Lee" Coddington lecodingiv@icloud.com

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

01/04/2023  
Date

Arthur E. Johnston  
Printed Name

/s/ Arthur E. Johnston  
Signature

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC  
FILING (NEF):

- **Steve Burnell** Steve.Burnell@gmlaw.com, sburnell@ecf.courtdrive.com; sburnell@ecf.infortuptcy.com; cheryl.caldwell@gmlaw.com; denise.walker@gmlaw.com
- **Robert P Goe** kmurphy@goeforlaw.com, rgoe@goeforlaw.com; goeforecf@gmail.com
- **Nancy S Goldenberg** nancy.goldenberg@usdoj.gov
- **Michael J Gomez** mgomez@frandzel.com, dmoore@frandzel.com
- **D Edward Hays** ehays@marshackhays.com, ehays@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com; cmendoza@marshackhays.com; cmendoza@ecf.courtdrive.com
- **Brandon J Iskander** biskander@goeforlaw.com, kmurphy@goeforlaw.com
- **Kari L Ley** Ley1238@att.net
- **Tinho Mang** tmang@marshackhays.com, tmang@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com; cmendoza@ecf.courtdrive.com
- **Richard A Marshack (TR)** pkraus@marshackhays.com, rmarshack@iq7technology.com; ecf.alert+Marshack@titlexi.com
- **Elissa Miller** elissa.miller@gmlaw.com, emillersk@ecf.courtdrive.com; cheryl.caldwell@gmlaw.com
- **Roksana D. Moradi-Brovia** Roksana@rhmfirm.com, matt@rhmfirm.com; rosario@rhmfirm.com; sloan@rhmfirm.com; priscilla@rhmfirm.com; rebecca@rhmfirm.com; david@rhmfirm.com; susie@rhmfirm.com; max@rhmfirm.com; russ@rhmfirm.com
- **Paul F Ready** becky@farmerandready.com
- **Matthew D. Resnik** Matt@rhmfirm.com, roksana@rhmfirm.com; rosario@rhmfirm.com; sloan@rhmfirm.com; priscilla@rhmfirm.com; rebecca@rhmfirm.com; david@rhmfirm.com; susie@rhmfirm.com; max@rhmfirm.com; russ@rhmfirm.com
- **Victor A Sahn** victor.sahn@gmlaw.com, vsahn@ecf.courtdrive.com; pdillamar@ecf.courtdrive.com; patricia.dillamar@gmlaw.com, Karen.Files@gmlaw.com
- **Kristine A Thagard** kthagard@marshackhays.com, kthagard@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com
- **United States Trustee (SA)** ustpreion16.sa.ecf@usdoj.gov
- **Reed S Waddell** rwaddell@frandzel.com, sking@frandzel.com
- **Gerrick Warrington** gwarrington@frandzel.com, sking@frandzel.com

- **David Wood** dwood@marshackhays.com,  
dwood@ecf.courtdrive.com;l Buchananmh@ecf.courtdrive.com;kfrederick@ecf  
.courtdrive.com

2. SERVED BY UNITED STATES MAIL:

**Marshack Hays LLP**  
870 Roosevelt  
Irvine, CA 92620

**Tom Prountzos**  
Goodman Neuman Hamilton LLP  
One Post Street Suite 2100  
San Francisco, CA 94104

**Resnik Hayes Moradi LLP**  
17609 Ventura Blvd Ste 314  
Encino, CA 91316

Robert P. Goe – State Bar No. 137019  
Brandon J. Iskander – State Bar No. 300916  
**GOE FORSYTHE & HODGES, LLP**  
17701 Cowan, Suite 210  
Irvine, CA 92614  
[rgoe@goeforlaw.com](mailto:rgoe@goeforlaw.com)  
[biskander@goeforlaw.com](mailto:biskander@goeforlaw.com)

Telephone: (949) 798-2460  
Facsimile: (949) 955-9437

Attorneys for Leroy “Lee” Codding

**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION**

In re:

NORTHERN HOLDING, LLC,

Debtor.

Case No. 8:20-bk-13014-SC

Chapter 7 Proceeding

**NOTICE OF MOTION AND MOTION  
OF GOE FORSYTHE & HODGES LLP  
FOR AN ORDER AUTHORIZING  
WITHDRAWAL AS COUNSEL FOR  
LEROY “LEE” CODDING;  
DECLARATION OF ROBERT P. GOE  
IN SUPPORT THEREOF**

**[NO HEARING REQUIRED]**

**TO THE HONORABLE SCOTT CLARKSON, UNITED STATES BANKRUPTCY  
JUDGE, THE UNITED STATES TRUSTEE, THE TRUSTEE AND HIS COUNSEL, AND  
ALL PARTIES IN INTEREST:**

**PLEASE TAKE NOTICE** that Goe Forsythe & Hodges LLP, (the “Firm”) counsel of  
record Leroy “Lee” Codding (“Client”) in the above bankruptcy proceeding will move for an  
entry of an order authorizing the Firm to withdraw as counsel to Client in this bankruptcy  
proceeding pursuant to Local Bankruptcy 2091-1(a) for good cause (“Motion”).

1 Please take further notice that this Motion is based upon these moving papers, the  
2 attached memorandum of points and authorities, the Declaration of Robert P. Goe annexed  
3 thereto, all pleadings, records and order in this case and such additional arguments and evidence  
4 that may be presented to this Court.

5 **PURSUANT TO LOCAL BANKRUPTCY RULE 9013-1(p), THIS MOTION MAY**  
6 **BE DETERMINED WITHOUT A HEARING AFTER NOTICE PROVIDED IN LOCAL**  
7 **BANKRUPTCY RULE 2091-1(a). IF YOU OPPOSE THIS MOTION TO WITHDRAW,**  
8 **YOU MUST FILE AN OPPOSITION TO THIS MOTION WITHIN FOURTEEN (14)**  
9 **DAYS AFTER THE DATE OF SERVICE OF THE NOTICE. ANY DELAY IN FILING A**  
10 **A TIMELY OPPOSITION MAY BE DEEMED CONSENT TO THE RELIEF**  
11 **REQUESTED IN THE MOTION.**

12 Dated: December 8, 2022

Respectfully submitted by  
**GOE FORSYTHE & HODGES LLP**

15 By: /s/Robert P. Goe  
16 Robert P. Goe  
Attorneys Leroy "Lee" Coddling

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I.**

**THE COURT SHOULD ENTER AN ORDER AUTHORIZING THE FIRM TO  
WITHDRAW AS COUNSEL OF RECORD TO THE CLIENT**

**A. Good Cause Exists for an Order Granting Leave for the Firm to Withdraw as  
Counsel of Record**

Local Bankruptcy Rule 2091-1(a)(1) and (c) provides in pertinent part as follows:

“Except as provided in LBR 2091-1(b), leave of court pursuant to LBR9013-1(p) is required for: (1) An attorney who has appeared on behalf of an entity in any matter concerning the administration of the case, in one or more proceedings, or both, to withdraw as counsel; . . .

(c) (2) Proceedings. An attorney seeking to withdrawal or substitution who has appeared on behalf of an entity only in one or more proceedings must give notice of the proposed substitution or motion for leave to withdraw to the debtor, each party who has been named or who has appeared in such proceeding(s) and the united states trustee.”

Local Bankruptcy Rule 9013-1(p) states:

“The following motions may be determined without a hearing after notice provided in the corresponding LBR cited. (4) Motion to Withdraw as Counsel [LBR 2091-1(a)].”

Cause exists for this Court to enter an order approving the withdrawal of the Firm as Client Counsel. Pearlmutter v. Alexander, 97 Cal. App.3d supp. 16, 20.

California Rule of Professional Conduct, Rule 1.16(b) controls permissive withdrawal and provides that an attorney may request withdrawal as counsel if the following apply:

- (4) The client by other conduct renders it unreasonable difficult for the lawyer to carry out the employment effectively,
- (5) The Client breaches a material term of an agreement with, or obligation to the lawyer .
- ..

The following are pending in the bankruptcy case:



1           **January 15, 2023** - Discovery cutoff. The Firm has prepared and served Requests for  
2 Production of Documents on Trustee.

3           **February 16, 2023 at 9:00 a.m.** – hearing on Order Directing Leroy E. Coddington IV, in  
4 his individual capacity and as the Manager of any other entity, including Rabbit Ridge Wine  
5 Sales, Inc. to Appear and Show Cause Why He Should Not be Held in Contempt or Why a  
6 Referral to the Department of Justice for Bankruptcy Crimes Should Not Issue with briefs,  
7 exhibits and witness lists due fourteen (14) days in advance

8           **January 3, 2023** – Responses are due by Client to discovery requests from Chapter 7  
9 Trustee Richard Marshack's:

- 10           • Trustee's First Set of Special Interrogatories
- 11           • Trustee's First Set of Requests for Admissions
- 12           • Trustee's First Set of Requests for Production of Documents

13           **B. The Firm Has Complied with Local Bankruptcy Rule 2091-1(c)(3).**

14           Local Bankruptcy Rule 2091-1(c)(3) provides that:

15           An attorney seeking withdrawal or substitution who has appeared on behalf of an  
16 entity both in the case and one or more proceedings must give notice of the  
17 proposed substitution or motion for leave to withdraw to all entities entitled to  
notice under subsections (c)(1) and (2).

18           The Firm has served a copy of this Motion on Debtor, the Office of the United States  
19 Trustee, the Chapter 7 Trustee, Leroy "Lee" Coddington, all interested parties and those who have  
20 requested special notice. Based upon the foregoing, the provisions of the Local Bankruptcy Rule  
21 2091-1(c)(3) have been satisfied.

22           The last known address for Leroy "Lee" Coddington is:

23           Leroy "Lee" Coddington  
24           13217 Jamboree Road  
25           Tustin, CA 92782  
26           Phone: (952) 220-8216  
26           Email: [lecoddingtoniv@icloud.com](mailto:lecoddingtoniv@icloud.com)

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1 Mr. Goe has been in regular contact with Client, who is well aware of the above dates and  
2 that this Motion will be filed.

3 **II.**

4 **CONCLUSION**

5 Based on all of the above referenced facts, the Firm respectfully requests that the Court  
6 enter an order authorizing the Firm to withdraw as counsel of record for the Client in this  
7 bankruptcy case.

8 Respectfully submitted by

9 Dated: December 8, 2022

**GOE FORSYTHE & HODGES LLP**

10 By: /s/Robert P. Goe

11 Robert P. Goe

12 Attorneys Leroy "Lee" Coddington  
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**DECLARATION OF ROBERT P. GOE**

I, Robert P. Goe, declare:

I am a partner in the firm of Goe Forsythe & Hodges LLP, counsel of record for the Client in this bankruptcy proceeding. The matters stated hereinafter are within my personal knowledge, and if called upon as a witness, I could and would testify completely thereto.

As set forth in the Motion, good cause exists to allow the Firm to withdraw as counsel for the Client in the case.

On December 7, 2022, I spoke with the Client and informed him that this Motion would be filed. He is well aware of all of the dates below.

The following are pending in the bankruptcy case:

**January 15, 2023** - Discovery cutoff. The Firm has prepared Requests for Production of Documents on Trustee

**February 16, 2023 at 9:00 a.m.** – Order Directing Leroy E. Coddling IV, in his individual capacity and as the Manager of any other entity, including Rabbit Ridge Wine Sales, Inc. to Appear and Show Cause Why He Should Not be Held in Contempt or Why a Referral to the Department of Justice for Bankruptcy Crimes Should Not Issue, with briefs, exhibit lists and witness lists due fourteen (14) days in advance.

**January 3, 2023** – Responses are due by Coddling to Trustee Marshack's:

- Trustee's First Set of Special Interrogatories
- Trustee's First Set of Requests for Admissions
- Trustee's First Set of Requests for Production of Documents

The Firm has served a copy of this Motion on Debtor, the Office of the United States Trustee, the Chapter 7 Trustee, Leroy "Lee" Coddling, all interested parties and those who have requested special notice. Based upon the foregoing, the provisions of the Local Bankruptcy Rule 2091-1(c)(3) have been satisfied.

The last known address for Leroy "Lee" Coddling is:

Leroy "Lee" Coddling  
13217 Jamboree Road  
Tustin, CA 92782

Phone: (952) 220-8216  
Email: [lecoddigiv@icloud.com](mailto:lecoddigiv@icloud.com)

I declare under penalty of perjury under the laws of the United State of America that all the foregoing is true and correct.

Dated: December 8, 2022

By: /s/Robert P. Goe  
Robert P. Goe

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 17701 Cowan, Suite 210, Irvine, CA 92614

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF MOTION AND MOTION OF GOE FORSYTHE & HODGES LLP FOR AN ORDER AUTHORIZING WITHDRAWAL AS COUNSEL FOR LEROY "LEE" CODDING; DECLARATION OF ROBERT P. GOE IN SUPPORT THEREOF** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On December 8, 2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) December 8, 2022, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

**Leroy "Lee" Coddington**  
**13217 Jamboree Road**  
**Tustin, CA 92782**

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) December 8, 2022, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

- The Honorable Scott Clarkson, USBC, 411 West Fourth Street, Santa Ana, CA 92701
- (SUSPENDED DUE TO COVID-19 PROTOCOLS)
- **Leroy "Lee" Coddington** [lecoddington@icloud.com](mailto:lecoddington@icloud.com)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

December 8, 2022  
*Date*

Kerry A. Murphy  
*Printed Name*

/s/Kerry A. Murphy  
*Signature*

**TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

- **William H Brownstein** Brownsteinlaw.bill@gmail.com
- **Steve Burnell** Steve.Burnell@gmlaw.com,  
sburnell@ecf.courtdrive.com;sburnell@ecf.inforuptcy.com;cheryl.caldwell@gmlaw.com;denise.wal  
ker@gmlaw.com
- **Robert P Goe** kmurphy@goeforlaw.com, rgoe@goeforlaw.com;goeforecf@gmail.com
- **Nancy S Goldenberg** nancy.goldenberg@usdoj.gov
- **Michael J Gomez** mgomez@frandzel.com, dmoore@frandzel.com
- **D Edward Hays** ehays@marshackhays.com,  
ehays@ecf.courtdrive.com;kfrederick@ecf.courtdrive.com;cmendoza@marshackhays.com;cmend  
oza@ecf.courtdrive.com
- **Brandon J Iskander** biskander@goeforlaw.com, kmurphy@goeforlaw.com
- **Kari L Ley** Ley1238@att.net
- **Tinho Mang** tmang@marshackhays.com,  
tmang@ecf.courtdrive.com;kfrederick@ecf.courtdrive.com;cmendoza@ecf.courtdrive.com
- **Richard A Marshack (TR)** pkraus@marshackhays.com,  
rmarshack@iq7technology.com;ecf.alert+Marshack@titlexi.com
- **Elissa Miller** elissa.miller@gmlaw.com,  
emillersk@ecf.courtdrive.com;cheryl.caldwell@gmlaw.com
- **Roksana D. Moradi-Brovia** Roksana@rhmfirm.com,  
matt@rhmfirm.com;rosario@rhmfirm.com;sloan@rhmfirm.com;priscilla@rhmfirm.com;rebeca@rhm  
firm.com;david@rhmfirm.com;susie@rhmfirm.com;max@rhmfirm.com;russ@rhmfirm.com
- **Paul F Ready** becky@farmerandready.com
- **Matthew D. Resnik** Matt@rhmfirm.com,  
roksana@rhmfirm.com;rosario@rhmfirm.com;sloan@rhmfirm.com;priscilla@rhmfirm.com;rebeca@  
rhmfirm.com;david@rhmfirm.com;susie@rhmfirm.com;max@rhmfirm.com;russ@rhmfirm.com
- **Victor A Sahn** victor.sahn@gmlaw.com,  
vsahn@ecf.courtdrive.com;pdillamar@ecf.courtdrive.com;patricia.dillamar@gmlaw.com,Karen.File  
s@gmlaw.com
- **Kristine A Thagard** kthagard@marshackhays.com,  
kthagard@ecf.courtdrive.com;kfrederick@ecf.courtdrive.com
- **United States Trustee (SA)** ustpregion16.sa.ecf@usdoj.gov
- **Reed S Waddell** rwaddell@frandzel.com, sking@frandzel.com
- **Gerrick Warrington** gwarrington@frandzel.com, sking@frandzel.com
- **David Wood** dwood@marshackhays.com,  
dwood@ecf.courtdrive.com;lbuchananmh@ecf.courtdrive.com;kfrederick@ecf.courtdrive.com